IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

Bail Appl..No. 6633 of 2007()

CMP.5101/2007 of J.M.F.C.,KASARAGOD
CRIME NO.310/07 OF MANJESHWAR POLICE STATION

.....

: PETITIONER/IST ACCUSED

KIRAN, S/O.SEETHARAM, KODYBAYAL,
UPPALA.

BY ADV. SRI.SOJAN MICHEAL

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.6633 of 2007

Dated this the 31st day of October, 2007

ORDER

Application for regular bail. The petitioner faces allegations under Sections 427 & 308 I.P.C. He is the 1st accused. Altogether there are 3 accused persons. The alleged incident took place on 12.10.07. The petitioner was arrested on 22.10.07. He continues in custody from that date.

2. The crux of the allegations is that the petitioner had thrown a stone at a running stage carriage. If it had hit the accused -the driver, there would have catastrophic consequences. This is the allegation.

3. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied in the facts and circumstances of this case that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

4. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.25,000 (Rupees Twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall make himself available for interrogation before the Investigating Officer as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-